



Request for City Council Committee Action from the Human Resources Department

Date: October 29, 2012

To: Executive Committee

Referral to: Ways & Means/Budget Committee

Subject: *Anti-Discrimination, Harassment and Retaliation Policy*

Recommendation: 1) Rescind current Respect in the Workplace Policy and replace with and approve the Anti-Discrimination, Harassment and Retaliation Policy; 2) Receive and file the attached procedures that support the policy; and 3) Direct the Human Resources Department to place the policy and procedures in the Policy Library.

Previous Directives: None

Prepared by: Charles J. Bernardy, HR Manager and Steven Kennedy, HR Lead Investigator

Approved by: _____
Timothy Giles, Interim HR Director Paul Aasen, City Coordinator

Presenters in Committee: Charles J. Bernardy

Reviews

City Attorney's Office	The policy and supporting procedures were developed by the Human Resources Department in conjunction with the City Attorney's Office.
Department Heads	Reviewed at the City Leadership Team meeting on October 4.
City Labor Management Committee	The policy and supporting procedures were sent to Laura Spartz, President, of the Minneapolis Board of Business Agents. The policy and procedures were presented to the Board of Business Agents on October 11, 2012.
Policy Review Group (PRG)	Approval: Yes Date: October 17, 2012

History:

The City of Minneapolis currently has a Respect in the Workplace Policy that was approved by the Minneapolis City Council on July 11, 2003. The Respect in the Workplace Policy replaced the former Sexual Harassment Policy that was enacted in the early 1990s.

Policy Scope:

The proposed policy applies to all departments and employees under the jurisdiction of the Mayor and City Council.

Summary of Proposed Policy Changes

Title Change:

- "Respect in the Workplace Policy" changed to "Anti-Discrimination, Harassment, and Retaliation Policy."
- New policy is more succinct and emphasizes greater focus on protected class groups and behavior that is illegal based upon Federal and State laws and local ordinances.

Policy & Procedures:

- Policy and procedures now separated by the creation of individual documents to facilitate future procedural changes.
- Roles and responsibilities added to policy and procedure documents.
- Eliminated the sometimes controversial list of specific offensive racial and ethnic slurs.
- Sexual harassment now more closely aligned and integrated with broader harassment prohibitions.
- Eliminated language defining legal thresholds, which are subject to change based upon evolving statutes or case law (e.g. hostile work environment).

Procedures:

- Added information/guidelines on Religious Expression and Exercise in the Workplace.
- Added information pertaining to the American with Disabilities Act and Americans with Disabilities Amendments Act including specific roles and responsibilities.